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9 IN THE UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
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13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 OSMAN ARTEGA,

17 Defendant.
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Case No.: CR 20-0116 MMC

**DEFENDANT'S SENTENCING
MEMORANDUM**

Court: Hon. Maxine M. Chesney

Date: March 24, 2021

Time: 3:00 p.m.

ARGUMENT

Defendant Osman Artega (true last name “Arteaga”) is set for a combined change of plea and sentencing on March 24, 2021, pursuant to a plea agreement with the government. Consistent with that agreement, the Pre-Plea Presentence Report correctly calculates the advisory U.S. Sentencing Guideline range to be 12 to 18 months, and recommends a sentence 12 months imprisonment at the low-end of the range. Mr. Arteaga is pleased to join this recommendation, with the slight amendment that the sentence be increased to 12 months and one day, to permit Mr. Arteaga to earn good-time credits while in BOP custody.

As noted in the PSR, Mr. Arteaga has no prior criminal convictions of any kind, although he does have several arrests that did not lead to convictions, as well as two pending cases. PSR ¶¶ 24-35. Mr. Arteaga’s difficult upbringing is significant too:

Mr. Arteaga was raised by both of his parents in Tegucigalpa, Honduras. His family lived in poverty and did not always have enough food to eat. Mr. Arteaga dropped out of school when he was 16 years old because his family did not have enough money for him to continue his education subsequently began working in the fields to support the family. . . . Mr. Arteaga was also severely beaten by thieves in Honduras three years ago and was hospitalized for three days after the attack. He then moved to the United States out of fear of further violence.

PSR Recommendation at 1-2.

Although the gross quantity of the drugs involved in this case may seem slightly elevated at first glance, they include the weight of the packaging and are totally consistent with just street-level hand-to-hand sales. For these reasons, it is respectfully submitted that the Court should sentence Mr. Arteaga to a term of imprisonment of 12 months and one day.

Respectfully submitted,

Dated: March 11, 2021

GEOFFREY HANSEN
Acting Federal Public Defender
Northern District of California

/S

DANIEL P. BLANK
Assistant Federal Public Defender